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Attorney for Plaintiff, Revise Clothing, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Revise Clothing, Inc.,
Plaintiff,

v.

Joe's Jeans Subsidiary, Inc.,
Joe's Jeans, Inc, formerly known as,
Innovo Azteca Apparel, Inc. and
Innovo, Inc.
Defendants

Case No. 09 CV 3961

Exhibit List

1. Joe's Jeans' Supplemental Register Trademark Registration No. 3,506,808
2. Joe's Jeans March 5, 2009 cease and desist letter sent to Target Brands, Inc.
3. Joe's Jeans March 31, 2009 cease and desist letter sent to counsel for Revise
4. Joe's Jeans April 14, 2009 cease and desist letter sent to counsel for Revise
5. Joe's Jeans April 21, 2009 counsel for Joe's Jeans communication to counsel for
Revise

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Exhibit 1

Int. Cl.: 25

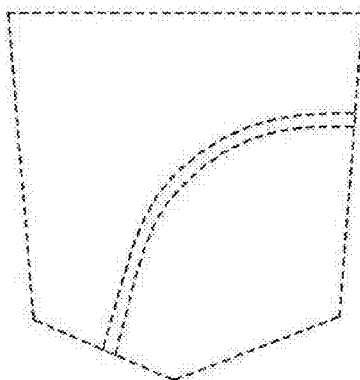
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,506,808

Registered Sep. 23, 2008

**TRADEMARK
SUPPLEMENTAL REGISTER**



JOE'S JEANS SUBSIDIARY, INC. (DELAWARE CORPORATION)
5901 EASTERN AVENUE
COMMERCE, CA 90040

FOR: JEANS; PANTS; DENIMS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-28-2008; IN COMMERCE 2-28-2008.

THE MARK CONSISTS OF A STITCHING DESIGN ON THE BACK POCKETS OF PANTS. THE DESIGN IS THE STITCHING OF TWO CURVED

LINE, ONE DIRECTLY ABOVE THE OTHER ON THE BACK POCKET OF JEANS. THE LINES ON THE POCKET REPRESENT STITCHING. THE SHAPE OF THE POCKET IS REPRESENTED BY BROKEN LINES AND IS NOT PART OF THE MARK BUT ONLY SERVES TO SHOW THE POSITION OF THE MARK.

SER. NO. 77-476,192, FILED P.R. 5-16-2008; AM. S.R. 8-7-2008.

TANYA AMOS, EXAMINING ATTORNEY

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Exhibit 2



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March 5, 2009

Via E-mail (trademark.info@target.com) Overnight Mail

Ann Dunn Wessberg
Senior Trademark & Copyright Counsel
Target Brands, Inc.
TPS-3165
1000 Nicollet Mall
Minneapolis, MN 55403

Re: "Inverted Arc" Pocket Stitch Design Trademark of Joe's Jeans, Inc.
Our Ref. No. I0129.5003

Dear Ms Wessberg:

We represent Joe's Jeans, Inc. and its wholly owned subsidiary Joe's Jeans Subsidiary, Inc. (collectively "Joe's Jeans"). We write concerning Target's sales of jeans in its stores that infringe the intellectual property rights of Joe's Jeans.

Joe's Jeans designs, sources and distributes its "Joe's" and "Joe's Jeans" branded apparel products to over 1,200 retail doors in the U.S. and abroad and produces one of the most recognized and sought-after premium denim brands in the world. You can learn more about Joe's Jeans online at the URL www.joesjeans.com.

Joe's Jeans uses several distinctive pocket designs in connection with its premium denim jeans. Among these pocket designs is Joe's Jeans's "Inverted Arc" pocket stitch design, which is shown in Exhibit A to this letter. Joe's Jeans has used this pocket stitch design since at least as early as February 28, 2008 and the pocket stitch design has quickly become one of the most popular styles of premium jeans that Joe's Jeans sells. Joe's Jeans owns Registration No. 3,506,808 for its "Inverted Arc" pocket stitch design. Joe's Jeans's sales of jeans bearing the "Inverted Arc" pocket design in the last year have been in the millions of dollars.

Based upon Joe's Jeans's aforementioned use and significant sales of jeans bearing its "Inverted Arc" pocket stitch design, the pocket stitch design has achieved substantial goodwill in the marketplace and has become recognized by the relevant public as a trademark associated with Joe's Jeans.



Ann Dunn Wessberg
Senior Trademark & Copyright Counsel
Target Brands, Inc.
March 5, 2009
Page 2

As noted above, it has recently come to our attention that Target is selling in its stores, in its "Xhileration" line of apparel, jeans that bear a pocket stitch design that is nearly identical to Joe's Jeans's registered "Inverted Arc" pocket stitch design. There can be no explanation for the identity of the pocket designs except that Target or its supplier of the jeans copied Joe's Jeans's popular and established pocket design. A photograph of the jeans being sold at Target is attached to this letter as Exhibit B.

Target's continued use of the pocket design at issue is likely to cause confusion with Joe's Jeans's "Inverted Arc" pocket design trademark. It is inevitable that consumers will believe mistakenly that Target's products are associated or affiliated with Joe's Jeans's products, that Target's apparel is sold under license from Joe's Jeans, or that Joe's Jeans is a sponsor of Target's products.

Based upon the foregoing, Joe's Jeans demands that Target immediately cease selling apparel bearing the pocket stitch design at issue. We also ask that Target account to Joe's Jeans for its profits arising from its sale of products bearing the pocket stitch design at issue through the date upon which it ceases its sales of the products.

If we do not hear from you by the close of business on **March 12, 2009**, Joe's Jeans will consider seeking all relief to which it is entitled, including injunctive relief and damages. This letter is further without prejudice to any demand for relief that may be made or brought if this matter is not promptly resolved to Joe's Jeans's satisfaction.

If you or your counsel would like to discuss these matters in further detail, please contact us.

Very truly yours,


Jordan A. LaVine

cc: Joe's Jeans, Inc.

Enclosure